

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF CRIMINAL INVESTIGATIONS

REPORT OF INVESTIGATION

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09/25/86

1. TITLE  Pioneer	2. CONTROL NUMBER  86-X-4-4 #15 34W
3. PERIOD COVERED	4. REPORTING OFFICE  Seattle 9/3/86

SYNOPSIS:

Reference is made to ROI 86-X-4-4 #13 by S/A Commodore Mann reporting the execution of a federal criminal search warrant at Pioneer Construction, 5975 E. Marginal Way South, Seattle, WA on 9/3/86. During the execution of that warrant, S/A Dixon McClary encountered Bob Tea in the "yard" near the truck wash area. S/A McClary identified himself to Tea and advised him that a search warrant, related to environmental violations, was in progress. Tea was also advised that neither he nor anyone else at the plant was in custody. Tea stated that he understood he was not in custody. Tea jokingly added that if anyone was going to jail it should be Ron (Summers, Operations Manager). Summers was present at the time. S/A McClary assured both Tea and Summers that no one at the plant was in custody. Both Tea and Summers acknowledged. Tea then agreed to answer questions.

Tea stated that he had worked at that particular cement plant for approximately four years. Tea continued that he was in "operations" and worked for Ron Summers. Tea indicated that the "operations" staff consisted primarily of he and Summers and that they had operational responsibility for several Pioneer cement facilities. Tea indicated that he had just returned from the Portland facility and would shortly be enroute to their Tacoma facility.

S/A McClary asked Tea to accompany him out onto a "catwalk" which runs parallel to the truck wash/recycle facility. The "catwalk" is essentially a wire mesh walkway attached to the outboard (riverside) of the truck wash/recycle facility. Tea agreed.

S/A McClary pointed out a hole in the concrete wall, which was loosely covered by a metal plate. S/A McClary asked Tea to explain. Tea stated that the hole had been jackhammered in the concrete retaining wall by employees of the previous owner, Kaiser. Tea continued that truck washings would discharge through that hole and into the river if the liquid levels in the truck wash/recycle facility were too high. Tea stated that it was a common occurrence with the previous owner.

Tea acknowledged that the loose fitting metal plate would not stop or eliminate a discharge from that hole. Tea further acknowledged that the liquids beneath the hole on the river bank could only mean that a discharge had recently occurred through the hole.

Tea stated that approximately 3 months ago Ron Summers instructed him to plug the hole in the wall. Tea subsequently instructed other Pioneer employees to

REPORT MADE BY  SAIC Dixon McClary	DATE  9/25/86
REVIEWING OFFICIAL	DATE

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CONTINUATION SHEET

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plug up the hole. Tea said that this was the first time he had looked at the hole since issuing those instructions.

Tea also stated that approximately 3 months ago Summers ordered him to stop the use of a bypass gate. S/A McClary and Tea then moved to a position where they could view the gate. The bypass gate was observed to be a hydraulically operated metal gate located on the outboard (riverside) of the truck wash/recycle facility. The gate divided an otherwise solid concrete wall and was located where washings would reach it just prior to the large separation auger. The gate was operated from the top by a hydraulic cylinder. The shaft of the hydraulic cylinder was very dirty with the exception of the top approximate 3 inches which was clean and shiny.

S/A McClary inquired about the purpose of the gate. Tea responded that the purpose was obvious and that it was designed to allow truck washings to bypass the recycling facility and flow directly down the bank and into the river. Tea continued that the gate had been used with some regularity by the prior owners. Tea explained that concrete and sediment would periodically build up along another gate which was perpendicular to the bypass gate. The bypass gate would then be opened to divert wash water during the removal of the concrete and sediment buildup. Reportedly, the bypass gate was also used when repair work was required on the auger; which was located just beyond the bypass gate. Tea acknowledged that the clean portion of the hydraulic cylinder shaft could only mean that the bypass gate had recently been opened.

Tea stated that approximately 1 or 2 weeks ago the auger had broken down. The repairs to the auger took approximately 1 week. Tea speculated that company employees opened the bypass gate to divert truck washings during the repairs. Diverting the truck washings would allow repairmen to work in a reduced quantity of liquids.

S/A McClary asked Tea if there were any other points of discharge at the facility. Tea responded that there was a sump into which Pioneer discharged mostly clean city tap water. Tea continued that he did not know for sure if the sump discharged into the river.

Tea said that Pioneer had been visited by a regulatory agency some months ago. Tea continued that discharges from the truck wash area and surface runoff had been areas of concern to that agency. Tea said that Pioneer was working to correct those areas of concern. Tea thought that a letter from that agency was in his office.

Parts of the above conversation were witnessed by Ron Summers. After approximately 15 to 20 minutes, Summers advised that Tea needed to leave for Pioneer's Tacoma facility. Tea subsequently departed.